

**ORDINANCE AMENDING SECTION 5-10-8 OF THE VILLAGE ZONING
ORDINANCE REGARDING FEES**

WHEREAS, the Village of Barrington Hills (the "Village") through the Village Clerk and pursuant to Section 5-10-8 of the Village Zoning Ordinance has established and collects a fee from applicants submitting any application for an amendment, special use or variation from the Zoning Ordinance;

WHEREAS, Section 5-10-8 does not authorize the Board to establish a fee to accompany Notices of Appeals filed by persons appealing decisions of the Zoning Board of Appeals ("ZBA") under 5-10-5 of the Zoning Ordinance;

WHEREAS, the ZBA held a public hearing on May 15, 2006 to discuss whether a fee should be collected from persons filing Notices of Appeals and the ZBA concluded that it is in the best interests of the Village to collect such a fee in the amount of \$100.00;

WHEREAS, the ZBA on the 19TH day of June 2006 issued its Findings and Recommendations from the May 15th public hearing recommending that the Board amend Section 5-10-8 to permit the collection of a fee from persons filing a Notice of Appeal under Section 5-10-5. A copy of the ZBA's Findings and Recommendations is attached hereto as Exhibit A.

WHEREAS, pursuant to the recommendation of the ZBA, the President and the Board of Trustees of the Village find and believe it to be in the best interest of the Village that Section 5-10-8 of the Village Code be amended as provided in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, as a home rule municipality, the following:

Section 1. Incorporation of Preambles. The Village Board hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Fees. Section 5-10-8 of the Village Zoning Ordinance, shall be, and the same hereby is, deleted in its entirety and the following is inserted in lieu thereof:

"Any application for an amendment, appeal, special use or variation shall be accompanied by a fee. The fee shall be established by resolution of the Board of Trustees. All fees shall be paid to the Village Clerk. There shall be no such fee, however, in the case of applications filed in the public interest by members of the Zoning Board of Appeals, Board of Trustees or the Enforcing Officer."

Section 3. Validity. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part declared to be invalid.


Section 4. Superseder and Effective Date. All resolutions, motions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.


PASSED THIS 26th **day of** June, 2006.

AYES: 7 **NAYS:** 0 **ABSENT:** 0.

APPROVED THIS 26th **day of** June, 2006.

ATTEST:


Village Clerk, Deputy


Village President